

# **SLOVENIA 2022 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Slovenia is a parliamentary democracy and constitutional republic. Power is shared among a directly elected president (head of state), a prime minister (head of government), and a bicameral parliament composed of the National Assembly (lower house) and the National Council (upper house). The country held elections for seats in the National Assembly on April 24 and presidential elections on October 23, with a run-off on November 13. Observers considered the elections free and fair.

The national police maintain internal security. The army is responsible for external security but also has some domestic security responsibilities. Police report to the Ministry of Interior, and the army reports to the Ministry of Defense. Civilian authorities maintained effective control over the security forces. There were reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of serious restrictions on free expression and media, including threats of violence against journalists by individuals incited by government actors.

The government took steps to identify, investigate, prosecute, and punish officials who committed human rights abuses or engaged in corruption, whether in the security services or elsewhere in the government, and there were no cases of impunity involving security forces reported during the year.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

## **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

The constitution and law prohibit such practices, and there were no reports that government officials employed them.

### **Prison and Detention Center Conditions**

According to the human rights ombudsperson and local nongovernmental organizations (NGOs), physical conditions were generally acceptable, but some overcrowding existed. There were also some reports of inmate mistreatment and prisoner-on-prisoner violence. Local NGOs and the human rights ombudsperson stated the government-run asylum center and other intake facilities housing asylum seekers were often overcrowded. A significant increase in the number of migrants due in part to an influx of Ukrainians displaced by Russia's unprovoked invasion, coupled with the lack of personnel to process asylum seekers and a dearth of linguistic and cultural training, exacerbated overcrowding.

**Administration:** Authorities investigated accusations of mistreatment and documented the results in a publicly accessible manner.

**Independent Monitoring:** The government permitted local and international human rights groups, media, and other independent international bodies, such as the International Committee of the Red Cross and the Council of Europe's Committee for the Prevention of Torture (CPT), to monitor prison conditions. The human rights ombudsperson together with eight human rights groups, visited all prisons. The government allowed designated NGOs and the human rights ombudsperson to monitor the treatment of prisoners.

## **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her detention in court. The

government generally observed these requirements.

### **Arrest Procedures and Treatment of Detainees**

Police generally made arrests with warrants issued by a prosecutor or judge based on evidence. Authorities may detain suspects for 48 hours before charging them. The law requires authorities to inform suspects of their rights immediately after arrest and to advise detainees in writing within six hours (or within three hours for minor offenses) of the reasons for their arrest. Suspects must have prompt access to a judge to assess whether they qualify for release on bail or should remain incarcerated pending trial. Authorities generally released defendants on bail except in the most serious criminal cases. The law provides for prompt access to immediate family members and detention under house arrest.

Upon arrest, detainees have the right to contact legal counsel of their choice and the right to counsel during interrogations, and the government protected these rights. While indigent defendants have the right to an attorney provided at public expense, there was no formal system for providing such legal counsel. The NGO Legal Information Center and the government's Free Legal Aid Office made free counsel available to indigents.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality.

### **Trial Procedures**

The constitution and law provide for the right to a fair public trial, and an independent judiciary generally enforced this right. According to NGOs and advocacy groups, the judicial system was overburdened and lacked administrative support, at times resulting in delays in the judicial process. The State Prosecutorial Council also cited a critical shortage of prosecutors in response to a 2021 report on the work of state prosecutors. The Ministry of Justice appointed 23 prosecutors between June and October, bringing staffing up to 209 prosecutors out of an authorized 268 positions.

## **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

## **Civil Judicial Procedures and Remedies**

The constitution and law provide for an independent and impartial judiciary in civil matters, including damages for, or cessation of, human rights violations.

Individuals may appeal court decisions involving alleged government violations of the European Convention on Human Rights to the European Court of Human Rights once they exhaust all avenues of appeal in domestic courts.

## **Property Seizure and Restitution**

The law permits all persons who were citizens of the former Yugoslavia or Allied nations to recover property confiscated by fascist or Nazi occupying forces. Cases involving property confiscated after 1945-46 are subject to restitution procedures under the Criminal Procedure Act. Cases involving property that was nationalized are subject to restitution procedures under the Denationalization Act of 1991. The Denationalization Act requires claimants to have had Yugoslavian citizenship at the time the property was confiscated and excludes, with some exceptions, property confiscated before 1945. Some cases involving the restitution of property seized during the communist era (especially from 1946 to 1958) remained unresolved.

Although some heirs of Holocaust victims may seek restitution of confiscated property through these laws and mechanisms, NGOs and advocacy groups reported the government did not make significant progress on the resolution of Holocaust-era claims. This includes both former citizens who were required to renounce Yugoslavian citizenship as a condition for emigrating and Holocaust survivors from Yugoslavia and their heirs who did not return and never had Yugoslav citizenship. The World Jewish Restitution Organization (WJRO) engaged the government regarding Holocaust survivors and their heirs who were not eligible to file claims based on Slovenian law.

Some Holocaust survivors and their relatives, along with Slovenian deportees, reclaimed pre-1945 confiscated property through 1945-46 restitution legislation.

Most Holocaust-era claims are categorized as heirless property, for which there is no provision in law for restitution or compensation. In 2018, the WJRO and Ministry of Justice agreed to launch a joint research project to compile as complete a historical record as possible of heirless, formerly Jewish-owned properties in the country. Ministry of Justice researchers concluded their research in 2019, but WJRO research remained under internal review at year's end. The ministry agreed to a one-year timeline after completion of the joint research project to perform an assessment of the value of the heirless properties.

Some remaining non-Jewish confiscated properties appeared to be unrecoverable because the parties occupying the sites were politically influential and thwarted attempts to reach a negotiated settlement. For example, since 1993 close ties between the Gornia Radgona Municipality and the company Radenska d.d., a major mineral water producer, stymied a foreign family's claims to the Radenci Spa property located on the family's ancestral lands. Although the Supreme Court rejected the family's claim to the trademark in 2015, the litigants appealed to the Constitutional Court, which returned the case to lower courts where it remained pending consideration. Multiple cases for different land claims by the family were still being reviewed by administrative courts.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act* report to Congress, released in July 2020, can be found on the Department's website at: <https://www.state.gov/reports/just-act-report-to-congress>.

## **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and laws prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for the Members of the Press and Other Media**

The constitution and law provide for freedom of expression, including for

members of the press and other media, and the government generally respected these rights. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for members of the media.

**Freedom of Expression:** The law prohibits the incitement to hatred, violence, and intolerance based on nationality, race, religion, gender, skin color, social status, political or other beliefs, sexual orientation, and disability in a way that could threaten or disrupt public order, typically requiring violence to occur for the prosecution of such incitement. The penal code also prohibits the expression of ideas of racial superiority and denial of the Holocaust.

The Ljubljana District Court issued suspended sentences in September to former editor-in-chief of the right-wing political weekly *Demokracija* and author of a piece published in *Demokracija* in December 2020, finding them guilty of inciting hatred and spreading racist ideas. *Demokracija* claimed the piece was satirical, but the court ruled the text encouraged racist ideas as defined in the penal code. The ruling is pending appeal.

Independent media were active and expressed a wide variety of views without restriction; however, the European Commission and press freedom NGOs expressed concern regarding media freedom in the country.

In its 2022 *Rule of Law Report* presented on July 13, the European Commission stated media freedom and pluralism in the country had not improved since 2021. Concerns were raised over the effectiveness of legal safeguards limiting political influence in public service media, online harassment and threats against journalists, nontransparent media ownership structures, and a regulatory gap for addressing high concentration of media.

**Violence and Harassment:** Journalists reported that until the April elections then Prime Minister Janša and other public officials spurred hateful rhetoric in the public discourse and incited threats against journalists. They warned online attacks and harassment created a hostile environment that could undermine their work, in particular at the public broadcaster *RTV Slovenia* and the *Slovenian Press Agency*. For example, Janša accused a public broadcaster show of bias and expressed regret

taxpayers were obliged to finance the show he called “propaganda shame” on Twitter.

On May 24, the Celje Higher Court upheld a three-month suspended prison sentence with one year probation against Janša for calling two journalists “washed up prostitutes” in a tweet from 2016 when Janša was the opposition leader.

The web platform for journalists to report physical and verbal attacks listed a total of 20 reports during the year of alleged attacks against journalists by individuals, politicians, or institutions.

**Censorship or Content Restrictions for Members of the Press and Other Media, including Online Media:** Instances of overt political pressure on the press remained isolated. The Slovenian Association of Journalists and media analysts noted online threats lead some journalists to practice self-censorship. They also observed lack of job security due to freelance or student status contributed to self-censorship.

*RTV Slovenia* journalists held several protests and strikes during the year demanding editorial autonomy and an end of political interference with the public broadcaster. They protested staffing and program decisions in the news program that were taken by *RTV Slovenia* leadership and endorsed by bodies composed of members who were predominantly appointed under the previous government. They accused company leaders of exerting political pressure on journalists.

**Libel/Slander Laws:** The print and broadcast media, including online newspapers, journals, and book publishers, are subject to laws criminalizing hate speech, libel, and slander. The government has not used the law to retaliate against journalists or political opponents.

**Actions to Expand Freedom of Expression, Including for Members of the Media:** The new government of Prime Minister Golob vowed to enhance the independent governance and editorial independence of public service media. It proposed legislative amendments that would introduce a single management and supervisory body at the public broadcaster *RTV Slovenia* in which none of its members would be appointed by parliament but predominately by the civil society and *RTV Slovenia* employees. The amendments would establish a new RTV

Council to replace the current supervisory board and the program council, in which the majority of members are appointed by parliament. Parliament passed the amended act on July 21; however, its enforcement was halted by referendum proceedings launched by the opposition Slovenian Democratic Party, which opposes the changes. On November 27, 62.27 percent of voters backed the amended RTV Slovenia Act. Its entry into force was pending at the end of the year. Opposition parliamentarians and other critics of the law complained that instead of depoliticizing *RTV*, it would lead to politicization favoring the current government.

## **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority.

## **b. Freedoms of Peaceful Assembly and Association**

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected these rights.

### **Freedom of Peaceful Assembly**

The constitution and law provide for freedom of peaceful assembly and the government generally respected this right.

Police used a water cannon and tear gas on at least three occasions in late 2021 to disperse citizens protesting COVID restrictions in Ljubljana. In September, the human rights ombudsperson found police used disproportionate coercive measures to disperse protesters at an unlicensed rally in October 2021. Police used a water cannon and tear gas indiscriminately against mostly peaceful protesters, according to the ombudsperson. In December, the Interior Ministry released a report finding the use of water cannons and tear gas against protesters in 2020 and 2021 was disproportionate, unjustified, and unprofessional. The Interior Ministry reported it sent the findings to the prosecution service.



### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these related rights.

### **e. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers as well as other persons of concern. According to the Asylum Information Database, beneficiaries of international protection and employed asylum seekers, like citizens, have difficulty obtaining a personal doctor due to a lack of such professionals in the country.

**Access to Asylum:** The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Police stopped pushing back migrants at the border without considering them for asylum after the government adopted a readmission agreement with Croatia in March, according to NGOs.

Due to an increase in numbers of asylum seekers and a backlog of cases, applicants were detained at asylum centers while waiting to file their applications for international protection. The lack of capacity to address large numbers of arrivals resulted in overcrowding, lower hygienic standards, and greater health risks. The government opened new facilities during the year and expanded capacity at existing facilities to address the increase in asylum seekers and refugees fleeing Russia's invasion of Ukraine. The government does not have a systemic solution for the accommodation of minors. Lack of access to information for asylum seekers staying in private housing was also a problem, according to NGOs.

Asylum seekers outside EU resettlement and relocation programs often waited six months or longer for their cases to be adjudicated and were barred from working during the initial nine months of this period, although many reportedly worked illegally. Local NGOs criticized this restriction, asserting it made asylum seekers vulnerable to labor exploitation and trafficking due to their illegal status, lack of knowledge of local labor laws, and language barriers. Experts raised concerns regarding gaps in trafficking victim identification. NGOs reported double standards in the government's treatment of Ukrainians fleeing Russia's invasion and asylum seekers from other parts of the world. Ukrainians fleeing the war were granted temporary protection beginning March 10 and were placed in separate housing facilities. However, NGOs also reported improvement in all accommodation for asylum seekers.

**Freedom of Movement:** Local NGOs reported unjustifiable limitations on the movement of asylum seekers residing in government-operated reception facilities and asserted that the restrictions had no legal basis. Local NGOs reported that asylum seekers in reception facilities faced detention periods of up to two weeks while authorities processed their initial asylum requests.

According to NGOs working with migrants, the situation improved significantly after the new government was formed in June. The removal of fencing on the border with Croatia is ongoing, and the government established a joint working group with NGOs to address migration challenges.

**Temporary Protection:** The government also provided temporary protection (subsidiary protection) to individuals who may not qualify as refugees. On March 10, it launched a special temporary protection for persons displaced from Ukraine due to Russia's unprovoked invasion. The government processed 8,432 applications for temporary protection during the year, nearly all of which were filed by Ukrainian citizens. There were initial delays in processing applications and providing documentation, but those were resolved, according to NGOs. Persons who receive temporary protection have the right to accommodation, meals, health care, work, education, financial assistance, and legal assistance.

## **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### **Elections and Political Participation**

**Recent Elections:** On April 24, the country held elections for seats in the National Assembly in which the newly established Freedom Movement party won the plurality of votes and formed a coalition with two other parties. The country held presidential elections on October 23 and a run-off November 13. Observers considered the elections free and fair.

**Participation of Women and Members of Minority Groups:** No law limits participation of women or members of minority groups in the political process, and they did participate. Women occupied 37 percent of elected seats in the National Assembly. The constitution provides for the National Assembly to include one member each from the Hungarian and Italian minorities.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal and civil penalties for corruption by officials, and the government generally implemented the law effectively. There were numerous reports of government corruption during the year.

**Corruption:** Officials sometimes engaged in corrupt practices with impunity. Despite the country's well-developed and comprehensive legal framework for identifying and combating corruption, critics asserted implementation and prosecution efforts remained inadequate. In late 2020 parliament amended the law to better define conflict of interests, including acceptance of gifts, lobbying, and regarding official positions for which disclosure of property owned and business activity is required.

Local anticorruption experts stated corruption in the country was systemic,

although only isolated cases were investigated. Corruption manifested itself through politically motivated staffing in state-owned enterprises, conflicts of interest, failure to report outside activities, bribes, and lack of transparency throughout the country's political and economic spheres, particularly in public tenders and the fields of energy, construction, urban planning, and health care. Due to limited police capacity, just 1 percent of alleged corrupt practices were investigated, and courts also had a poor track record in trying corruption cases. Police only investigated 45 cases of alleged corruption in the first half of the year, down from the 10-year average of 57 in the same period. The Commission for the Prevention of Corruption (CPC) remained understaffed, with only 44 of 90 positions filled.

On February 23, the CPC stated it had found evidence of a breach of integrity by then-Minister of Economy Zdravko Počivalšek regarding procurement of personal protective equipment in the first COVID-19 wave in 2020. Počivalšek allegedly ordered the head of the Agency of Commodity Reserves Anton Zakrajšek to give one of the suppliers of medical ventilators privileged treatment. Počivalšek rejected the CPC's official findings and refused to resign. In May, the National Bureau of Investigation confirmed it filed a criminal complaint against Počivalšek in connection with procurement.

In August corruption trials began against nine Slovenians, two foreign persons, and one Slovenian legal entity involved in the construction of the TEŠ 6 coal power plant between 2004 and 2012. Prosecutors accused the former chief executive of the TEŠ plant of receiving nearly €900,000 (\$963,000) in commissions, while enabling the construction company to gain more than €284 million (\$304 million) in material benefits. The construction company has since been sold to another company that agreed to pay €284 million (\$304 million) in a plea bargain.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Several domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights

cases. Government officials often were cooperative and responsive to their views.

The new government that took office in June worked closely with civil society groups, promising to annul laws adopted by the previous government that limited financing of NGOs during the COVID-19 pandemic. The new government also cancelled efforts by the previous government to evict 18 NGOs from a state-owned building in Ljubljana.

**Government Human Rights Bodies:** The constitution provides for an independent human rights ombudsperson to monitor violations of human rights. Individuals may file complaints with the independent ombudsperson to seek administrative relief in the case of a human rights violation by the government. The human rights ombudsperson was effective, adequately resourced, reported to parliament annually on the human rights situation, and provided recommendations to the government. The Office of the Advocate of the Principle of Equality raises awareness of and helps prevent all types of discrimination but reported that a lack of resources and personnel limited its effectiveness.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** Rape of a person, regardless of gender, including spousal rape, and domestic violence are illegal. Sexual violence is a criminal offense, and the penalty for conviction is six months' to five years' imprisonment. The penalty for conviction of rape is one to 10 years' imprisonment. Police generally investigated accusations of rape, and courts generally tried accused offenders.

The penal code defines rape as an act resulting from a perpetrator coercing the survivor into sexual intercourse by force or serious threats. In April 2021, the government amended the criminal code to provide greater protection for survivors of rape and other forms of sexual violence, including adoption of the "yes means yes" principle that intercourse absent explicit consent constitutes rape.

The law provides from three to 10 years' imprisonment for conviction of committing aggravated, grievous, or particularly humiliating bodily harm. Upon

receiving reports of spousal abuse or violence, police generally intervened and prosecuted offenders, but local NGOs reported that survivors of sexual violence often did not report crimes to police. NGOs claimed rape and sexual violence were problems society did not want to acknowledge making it difficult for victims to discuss or report crimes.

Local NGOs reported that police and courts did not effectively intervene in or prosecute cases of alleged domestic abuse. NGOs blamed the problem on deficient institutional cooperation; lengthy court proceedings; untrained investigators, prosecutors, and judges in matters of domestic violence; and poor information flow among authorities, institutions, and NGOs.

A network of maternity homes, safe houses, and shelters provided care to women and children who were survivors of violence. The police academy offered annual training on domestic violence. Local NGOs reported women lacked equal access to assistance and support services and that free psychosocial assistance from NGOs was unavailable in many parts of the country. NGOs also reported a lack of practical training and educational programs for professionals who are legally bound to offer services to survivors of violence. NGOs highlighted the lack of systematic and continuous prevention programs for domestic violence and rape and reported there were no specialized support programs for Romani women, elderly women, or other historically marginalized groups.

**Sexual Harassment:** Sexual harassment is a criminal offense carrying a penalty if convicted of up to five years' imprisonment. The law defines sexual harassment as psychological violence, mistreatment, or unequal treatment in the workplace that causes "another employee's humiliation or fear." Authorities did not prosecute any sexual harassment cases during the year.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

By law infertility treatment and biomedical fertilization procedures are only available for women and men living in a heterosexual marital or cohabiting relationship who are unable to become pregnant through sexual intercourse or by other treatments. Marital and cohabiting lesbian, gay, bisexual, transgender, queer,

and intersex (LGBTQI+) couples and single persons are not eligible for state-supported infertility treatment.

Infertility treatment and biomedical fertilization procedures are only available for spouses or common-law partners who are of legal age, able and prepared to perform parental duties, and mentally sound. The law does not restrict access to in vitro fertilization by a specific age but requires that women must be of an age suitable for childbirth. In vitro fertilization was not available or covered by health insurance for women aged 43 and older, forcing some women to have the procedure done in other countries.

The government provides access to sexual and reproductive health services for survivors of sexual violence; emergency contraception was available for girls and women.

**Discrimination:** The law provides the same legal status and rights for women and men and prohibits official discrimination in matters such as employment, housing, inheritance, nationality, religious freedom, or access to education or health care. Gender-based discrimination in employment persisted (see paragraph 7.d.

## **Systemic Racial or Ethnic Violence and Discrimination**

The country's constitution recognizes Hungarians (approximately 8,000 persons) and Italians (approximately 4,000 persons) as national minorities. The government also recognizes Roma (approximately 10,000 to 12,000 persons) as an ethnic minority. Other minority populations are not officially recognized, including ethnic Germans, Albanians, Bosniaks, Croatians, Macedonians, Montenegrins, and Serbs. These communities have called for the constitution to be amended to recognize them as official minorities with the right to designated parliamentary seats. Despite these calls for recognition, the Council of Europe has raised no objections to the existing legal framework for recognizing minorities in the country.

Discrimination against socially marginalized Roma persisted in some parts of the country. Organizations monitoring conditions in the Romani community noted that Roma faced difficulties securing adequate housing in traditional housing markets. The human rights ombudsperson reported elderly Roma were among the

most vulnerable individuals and needed additional care and support services. Many Roma lived apart from other communities in illegal settlements lacking basic utilities and services, such as electricity, running water, sanitation, and access to transportation. Authorities stated the illegality of Romani settlements remained the largest obstacle to providing adequate public housing, water, and sanitation. By law only owners or persons with other legal claims to land, such as legal tenants, may obtain public services and utilities.

NGOs called on the government to adopt measures to improve access to housing, education, and employment for Roma. Several government ministries participated in the preparation of the *National Program of Measures for Roma from 2022-2030*, which is designed to increase integration and improve the socioeconomic situation of Roma. A government-established commission composed of representatives from the Romani community, municipalities, and the government to safeguard the rights of Roma continued to function. Representatives of the Romani community participated in a program designed to improve communication between police and individual Roma through discrimination-prevention training. The government provided medical equipment to health-care facilities and supported programs, workshops, and educational initiatives to establish best practices for health-care professionals working in Romani communities.

Although firearm incidents are rare in the country, one person died and three were wounded in a shooting in September near Brezje, an informal Roma settlement in Novo Mesto area.

## **Children**

**Birth Registration:** A child is granted citizenship at birth if the child's mother and father were citizens, one of the child's parents was a citizen and the child was born on the territory of the country, or one of the child's parents was a citizen while the other parent was unknown or of unknown citizenship and the child was born in a foreign country. Naturalization is possible. Children born in the country to migrants and asylum seekers do not qualify for citizenship; however, their parents may file for asylum or refugee status on their behalf.

**Education:** Although education is compulsory through grade nine, school



attendance and completion rates by Romani children remained low. Members of the NGO Council of the Roma Community stated that most Romani children begin first grade without any preschooling and a limited knowledge of the Slovenian language. Despite increased government efforts to enroll Romani children in preschool, few were enrolled. Council of the Roma Community members stated that low attendance stemmed from the negative experiences with organized education many Romani parents faced as children, leading them not to enroll their children in school.

The Ministry of Education, Science and Sport found preschools did not take full advantage of the ability to employ Roma assistants, with only seven applying for Roma assistant funding in the most recent call for applications for the 2022/2023 school year. The government introduced shorter kindergarten programs, through which the socialization of Roma children can be facilitated, and language skills strengthened, easing their transition to primary school. Data from the government's 2021 report about Roma in the country, released in July, suggested the situation was better at primary schools, where 48 Roma assistants were employed.

The Center for School and Outdoor Education continued its 2016-22 project on Romani education, financed by the Ministry of Education, Science and Sport and the European Social Fund. The project helped Romani children succeed in the educational system through mentoring and support, including extracurricular activities and preschool education at community multipurpose centers. Although segregated classrooms are illegal, several Roma reported to NGOs their children attended segregated classes and that school authorities selected them disproportionately to attend classes for students with special needs.

**Child Abuse:** Child abuse is a criminal offense, and conviction carries a penalty of from three to eight years' imprisonment. Police were active with social media campaigns and appealed to citizens to report any violence against children and other vulnerable groups.

**Child, Early, and Forced Marriage:** The minimum age for marriage is 18. With the approval of parents or legal guardians, centers for social service may approve the marriage of a person at age 16. Forced marriage of individuals as young as 16

occurred in the Romani community, but were not registered with the government, so numbers were difficult to confirm.

The Office for National Minorities led an ad hoc working group to eliminate forced marriages and other practices harmful to minors. The working group brought together representatives of competent ministries, the police, the prosecutor's office, coordinators for the prevention of domestic violence, and NGOs. As part of the National Platform for Roma, in 2021 the Office for National Minorities published a manual on identifying early and forced marriages in the Roma community and on acting in these cases.

**Sexual Exploitation of Children:** The law prohibits commercial sexual exploitation, sale, grooming, offer, or procurement of children for commercial sexual exploitation, including child sex trafficking, and practices related to child pornography. Penalties for convicted child sex traffickers ranged from three to 15 years in prison. The possession, sale, purchase, or propagation of child pornography is illegal. Penalties for conviction of violations ranged from six months to eight years in prison. The government enforced the law effectively. The law prohibits sexual violence and abuse of minors and soliciting minors for sexual purposes. Conviction of statutory rape carries a sentence of three to eight years in prison. The law sets the minimum age of consent for consensual sexual relations at 15. The government generally enforced the law. Some children were also subjected to sex trafficking; however, the government did not identify any child trafficking survivors, a potential identification gap area, which concerned experts.

## **Antisemitism**

There were an estimated 400 persons of Jewish descent in the country. There were no known reports of antisemitic acts.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acts of Violence, Criminalization, and Other Abuses Based on**

## **Sexual Orientation, Gender Identity or Expression, or Sex Characteristics**

**Criminalization:** No laws criminalize consensual same-sex sexual conduct between adults, and there were no reports of authorities using other facially neutral laws to target LGBTQI+ persons.

**Violence against LGBTQI+ Persons:** There were no reports that authorities condoned or perpetrated violence against LGBTQI+ persons.

The Ministry of Labor, Family, Social Affairs, and Equal Opportunities and law enforcement authorities recorded incidents of violence against LGBTQI+ persons but did not track the number of cases. Local NGOs asserted that violence against LGBTQI+ persons was prevalent, but that survivors often did not report such incidents to police.

In June posters raising awareness about hate speech against LGBTQI+ persons were vandalized with homophobic and transphobic messages that threatened violence against LGBTQI+ persons. The Pride Parade Association said it received threats on social media that the parade would be attacked with smoke bombs and tear gas. No attacks occurred at the Pride parade.

**Discrimination:** The law prohibits discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics and recognized LGBTQI+ individuals, couples, and their families. The government enforced such laws effectively, but societal discrimination was widespread. According to NGOs, transgender persons remained particularly vulnerable to societal discrimination and targeted violence.

In October the government passed a law legalizing same-sex marriage and adoption by same-sex couples. Same-sex couples were previously only allowed to have civil unions. The vote brought the law in line with a Constitutional Court ruling in July that said the previous definition of marriage as a union of a man and a woman was discriminatory.

**Availability of Legal Gender Recognition:** The law permits persons to change their gender identity marker on legal and identifying documents to bring them into

alignment with their gender identity. The law requires a certified statement from a competent health-care provider or medical doctor diagnosing the individual with “transsexualism,” which the National Institute of Public Health classifies as a mental disorder, and it does not allow for self-certification. There is no legal requirement for sex reassignment surgery or any other medical procedure before persons can legally change their gender identity. There are no legal provisions for a third/other gender option.

### **Involuntary of Coercive Medical or Psychological Practices Specifically**

**Targeting LGBTQI+ Individuals:** So-called conversion therapy is not widespread according to local NGOs. In 2012, the Slovenian Chamber of International Psychologists and the human rights ombudsman condemned so-called conversion therapy as a dangerous practice that deepens suffering and leads to stigmatization of LGBTQI+ persons.

### **Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

There were no reports that authorities restricted these freedoms of LGBTQI+ persons or organizations speaking out about LGBTQI+ issues. Multiple cities held Pride parades and other LGBTQI+ events in June and Ljubljana hosted a Festival of Gay and Lesbian Film in December without restrictions.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities; however, persons with disabilities could not access education, health services, public buildings, transportation, and information and communication on an equal basis with others. Local NGOs reported employers sometimes were prejudiced against persons with disabilities, but no cases of employment discrimination based on disability were reported during the year.

The law mandates access to buildings and public transportation for persons with disabilities, but modification of public and private structures to improve access continued at a slow pace, and some public transportation stations and buildings, particularly older buildings, were not accessible, especially in rural areas. The law provides social welfare assistance and early-childhood, elementary, secondary, and

vocational education programs for children with disabilities. Children with physical, sensory, intellectual, and mental disabilities are entitled to tailored educational programs with additional professional assistance and resources. Depending on their individual needs, some children attended school (through secondary school) with peers without disabilities, while others attended separate schools. The law also provides vocational and independent living resources for adults with disabilities. The government continued to implement laws and programs to provide persons with disabilities access to education, employment, health services, buildings, information, communications, the judicial system, transportation, and other state services. The government generally enforced these provisions effectively.

The electoral law requires all polling stations to be accessible to persons with disabilities. Voters with disabilities who are unable to reach a polling station on election day may also vote by mail.

## **Other Societal Violence or Discrimination**

NGOs reported HIV-positive individuals often faced stigma and discrimination in access to health care. For example, the NGO Activists for the Rights of People Living with HIV and medical experts from the Clinic for Infectious Diseases and Febrile Conditions reported that 90 percent of individuals living with HIV experienced discrimination in medical institutions due to their HIV status.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law does not prohibit anti-union discrimination or require reinstatement of workers fired for union activity; however, courts have ruled that the right to unionize is protected in law. NGOs reported that employers have informally pressured employees to refrain from organizing or to disband their unions, particularly workers in the metal industry and transport sector.

The law requires unionization of at least 10 percent of workers in a sector before

the sector may engage in collective bargaining. The law requires unionization of at least 15 percent of workers in an organization before that union may engage in bargaining at the enterprise level. The law restricts the right to strike for police, members of the military, and some other public employees, requiring them to perform certain duties while on strike.

The government respected freedom of association and the right to bargain collectively. Local NGOs estimated approximately 20 percent of the labor force belonged to a union and approximately 80 percent of the labor force was covered by a collective bargaining agreement.

Local NGOs assessed that although penalties for violations were commensurate with those for similar crimes, a shortage of labor inspectors impeded the government's ability to effectively prevent, monitor, and deter violations. Judicial and administrative procedures were not subject to lengthy delays or appeals. Penalties were sometimes applied against violators.

## **b. Prohibition of Forced or Compulsory Labor**

While the law prohibits all forms of forced or compulsory labor, and the government generally enforced the law, forced labor occurred and was most common in the metal and wood products, construction, hospitality, and transport sectors. Local NGOs and the Council of Europe assessed that while penalties for violations were sufficient, there was a shortage of inspectors and lack of resources dedicated to trafficking, insufficient coordination between labor inspectors and police, and not enough priority given to labor trafficking. This impeded the government's ability to effectively prevent and monitor violations. Investigations and prosecutions for labor trafficking remained low. Penalties were rarely applied to violators.

Media and the NGO Workers Counselling reported in June on alleged serious violations of workers' rights and exploitation of foreign workers in two fish processing companies (Selea and Marinblu). Reports alleged workers were forced to work long hours without overtime pay and slept in unhygienic accommodations on the warehouse floor. The same NGO also reported in August that Indian workers at a car wash were forced to work 60-hour weeks for less than minimum

wage, had their passports taken away, and were threatened by their employer. Experts were concerned this reached the threshold for forced labor. The workers also alleged the employer was warned before labor inspectors came and returned passports to the workers. The companies involved were issued warnings and the Ministry of Labor announced further investigations. Following the reported abuse at the car wash, the general labor inspector resigned on August 10, and the minister of labor announced changes to the labor inspectorate to increase its effectiveness.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the worst forms of child labor. The minimum legal age of employment is 15. The law limits hours, mandates rest periods, prohibits working in hazardous locations, and specifies adult supervision for workers younger than age 18. While no specific occupations are restricted, hazardous work locations specified by the law include those that are underground and underwater and those involving harmful exposure to radiation, toxic or carcinogenic agents, extreme cold, heat, noise, or vibrations. Penalties for child labor were not commensurate with those for other analogous serious crimes, such as kidnapping. Penalties for conviction of child labor law violations range from a monetary fine to one year in prison. Penalties for violations of child labor and minimum age laws were regularly applied against violators. Nevertheless, children younger than 15 in rural areas often worked during the harvest season.

There were reports of men, women, and children being subjected to forced labor in the construction sector and forced begging. A 2021 government report found minors and migrant workers were particularly vulnerable to forced labor or trafficking conditions, while fraudulent employment and recruitment of migrant workers remained a problem.

### **d. Discrimination with Respect to Employment and Occupation**

The law establishes a general framework for equal treatment and prohibits discrimination with respect to employment or occupation based on race or ethnic

origin, sex, color, religion, age, citizenship, disability, or sexual orientation. The law specifically prohibits discrimination based on language or HIV-positive status.

The government effectively enforced these laws. Penalties for violations range widely, depending on the type and size of the employing organization, and were commensurate with penalties for similar crimes. The law prohibits women from performing underground work in mines, with limited exceptions. The law does not prohibit women from working in any other profession. According to Eurostat, women's earnings were approximately 97 percent of those of men. The government noted women were sometimes subject to workplace prejudice and discriminatory treatment in technical professions and it received two complaints from women alleging they were denied positions as engineers due to their gender. The government also noted that despite higher education levels, women were less likely to occupy leadership positions. Women were also more likely to be employed in temporary or part-time work and received lower pay than male counterparts.

There were few formal complaints of discrimination, although there were some reports of employment discrimination most often based on age, especially for work involving physical labor. In certain sectors foreign workers are required to remain employed with their initial employer for a minimum of one year. Local NGOs assessed that this requirement enabled labor exploitation through lower salaries, poor living conditions, and longer working hours. Migrant workers enjoyed the same labor rights as citizens, but they faced discrimination. Many migrants worked in the hospitality sector or in physically demanding jobs. Some migrant workers were not aware of local labor laws regarding minimum wage, overtime, health care, and other benefits, a problem compounded by language barriers.

One NGO estimated that only 2 percent of Roma in the southeastern part of the country worked in the formal economy. Employment in informal sectors made Roma vulnerable to labor law violations, particularly in terms of benefits and procedures for termination of employment. Employment discrimination against Roma was not limited to a specific sector. The government attempted to address problems experienced by Roma (see section 6).



## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The national monthly gross minimum wage of €1,074 (\$1,149) exceeded the poverty line in 2022 (€771, or \$825, per month for single-member households). The law does not require premium pay for overtime, but collective agreements determined whether workers received premium pay for overtime. The law limits overtime to eight hours per week, 20 hours per month, and 170 hours per year.

**Occupational Safety and Health:** Special commissions under the Ministry of Health and the Ministry of Labor, Family, Social Affairs, and Equal Opportunities set occupational safety and health (OSH) standards for workers that were appropriate for the main industries in the country. Workers may remove themselves from situations that endanger health or safety without jeopardizing their employment. The law requires employers to protect workers injured on the job. If incapacitated, such workers may perform other work corresponding to their abilities, obtain part-time work, or receive occupational rehabilitation and wage compensation.

**Wage, Hour, and OSH Enforcement:** The Ministry of Labor, Family, Social Affairs, and Equal Opportunities monitors minimum wage compliance and has inspection authority. Police are responsible for investigating violations of the law.

According to NGOs and advocacy groups, penalties for wage and hour violations were commensurate with those for other similar crimes, and they were sometimes applied against violators. Exceptions included some cases involving migrant workers and asylum seekers, who faced conditions of exploitation.

Penalties for OSH violations were generally commensurate with penalties for similar crimes such as negligence. As of August, there were 83 labor inspectors responsible for addressing approximately 7,000 reports per year. Labor inspectors carried out some labor contract and OSH inspections, identified violations, and issued penalties. The number of inspectors was insufficient to monitor conformance with labor contract or OSH laws. The International Labor Organization and some NGOs reported an urgent need to increase the number of inspectors.

Most violations took place in the wood processing industry, the metal industry, construction, and bars and restaurants. Workers facing hazardous working conditions included professional divers, mountain rescuers, sailors, construction workers, and miners. Workers facing exploitative working conditions included those employed in construction, the transport sector, the wood industry, and exotic dancers. On May 12, an explosion killed six workers and injured several more at the chemical company Melamin. The labor inspectorate reported a possible criminal offense to police for failure to follow safety regulations. The investigation was in progress at the end of the year.

A local trade union reported that the government did not adequately protect Slovenian or foreign workers living in the country who were lured to work in other EU countries based on false pretenses and who were not able to contribute towards their social security, receive paid holidays or sick leave, or resolve their pay discrepancies as local employees were able to do. Local NGOs reported that local employment agents often failed to provide workers with the necessary documents for them to work in the EU, despite the requirements for them to do so. Workers were then subject to penalties in countries where they worked and many foreign workers in this situation faced a temporary ban on entering the Schengen Area.